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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,859	03/06/2002	Richard M. Adler	ADLER 01.01	6936
22186 7590 08/08/2009 MENDELSON, DRUCKER, & ASSOCIATES, P.C. 1500 JOHN F. KENNEDY BLVD., SUITE 405 PHILADELPHIA, PA 19102				
EXAMINER				
ERB, NATHAN				
ART UNIT		PAPER NUMBER		
3628				
MAIL DATE		DELIVERY MODE		
08/08/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte RICHARD M. ADLER

Application 10/091,859
Technology Center 3600

Mailed: August 10, 2009

Before JOYCE GUNTER-RILEY, Review Paralegal
GUNTER-RILEY, Review Paralegal

ORDER RETURNING UNDOCKETED APPEAL

This application was electronically received by the Board of Patent Appeals and Interferences on August 03, 2009. A review of the application revealed that is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on August 04, 2009. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR CFR § 41.43(a)(1) and MPEP § 1208, part II.

CONCLUSION

Accordingly, it is hereby

ORDERED that the application is returned to the Examiner for further consideration.

- 1) consider the Reply Brief filed August 04, 2009 as required; and
- 2) for such further consideration

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797

/jgr/

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